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PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a commercial retail nursery with outside storage for Fossil Creek Tree Farm, on approximately 2.43 acres of a 6.875-acre lot, located at the northeast corner of the Johnson Road and North Main Street intersection, legally described as Lot 1R, Block 1 of the L.L. McDonnell Addition, zoned Commercial (C), and addressed 600 North Main Street. JT Richards LLC, Applicant. Mark Keel, Owner. (SUP-2407-0002)
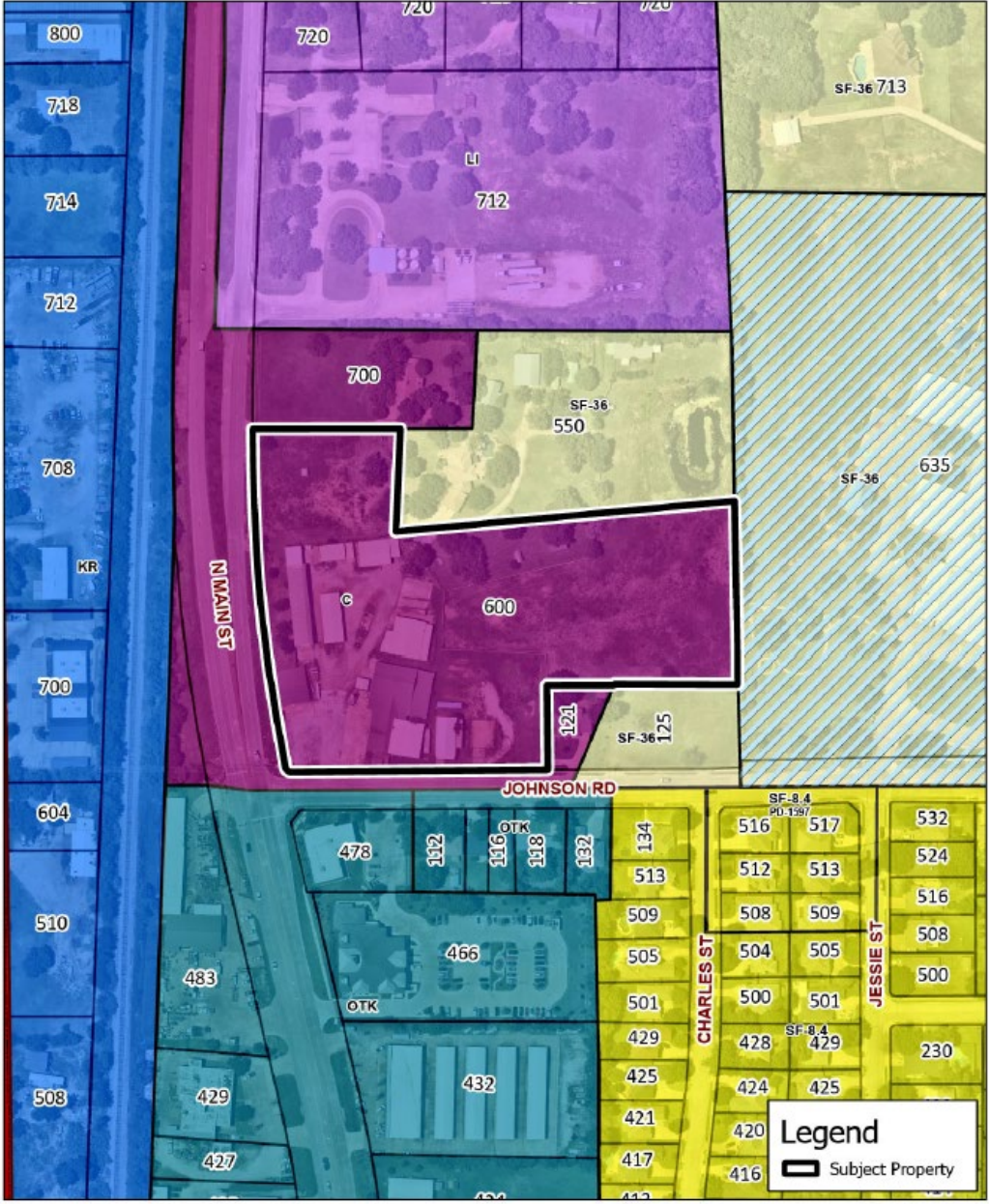
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## Aerial Map

Zoning Map

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SF-36

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Background:

- McDonnell Hardware and Feed has operated at 600 N. Main St. for decades, offering lumber yard and traditional hardware shop sales along with livestock feed, horse tack and pet supplies.

- The existing box retailer located at the southwest corner of the property has been operating since at least 2008.

- Fossil Creek Tree Farm, a tree farm, nursery, garden center, home store and landscaping business, has purchased a portion of the property and hopes to relocate their business from Fort Worth to Keller.
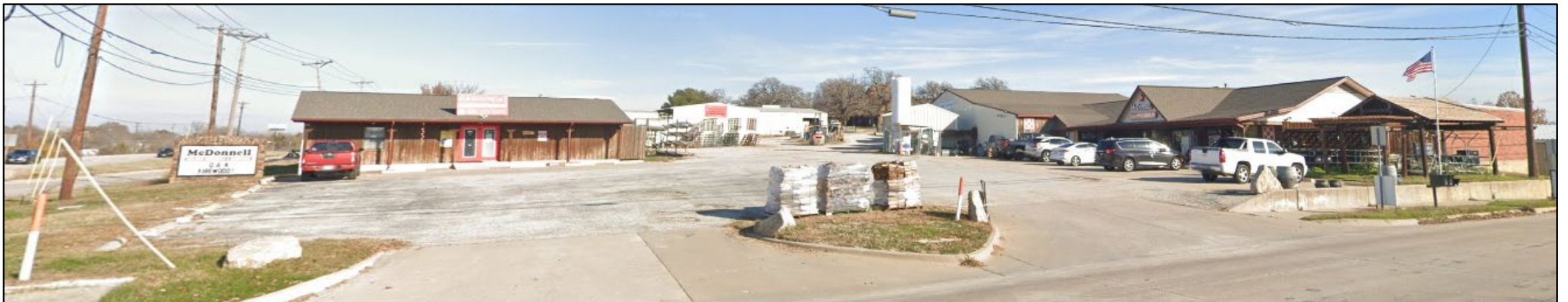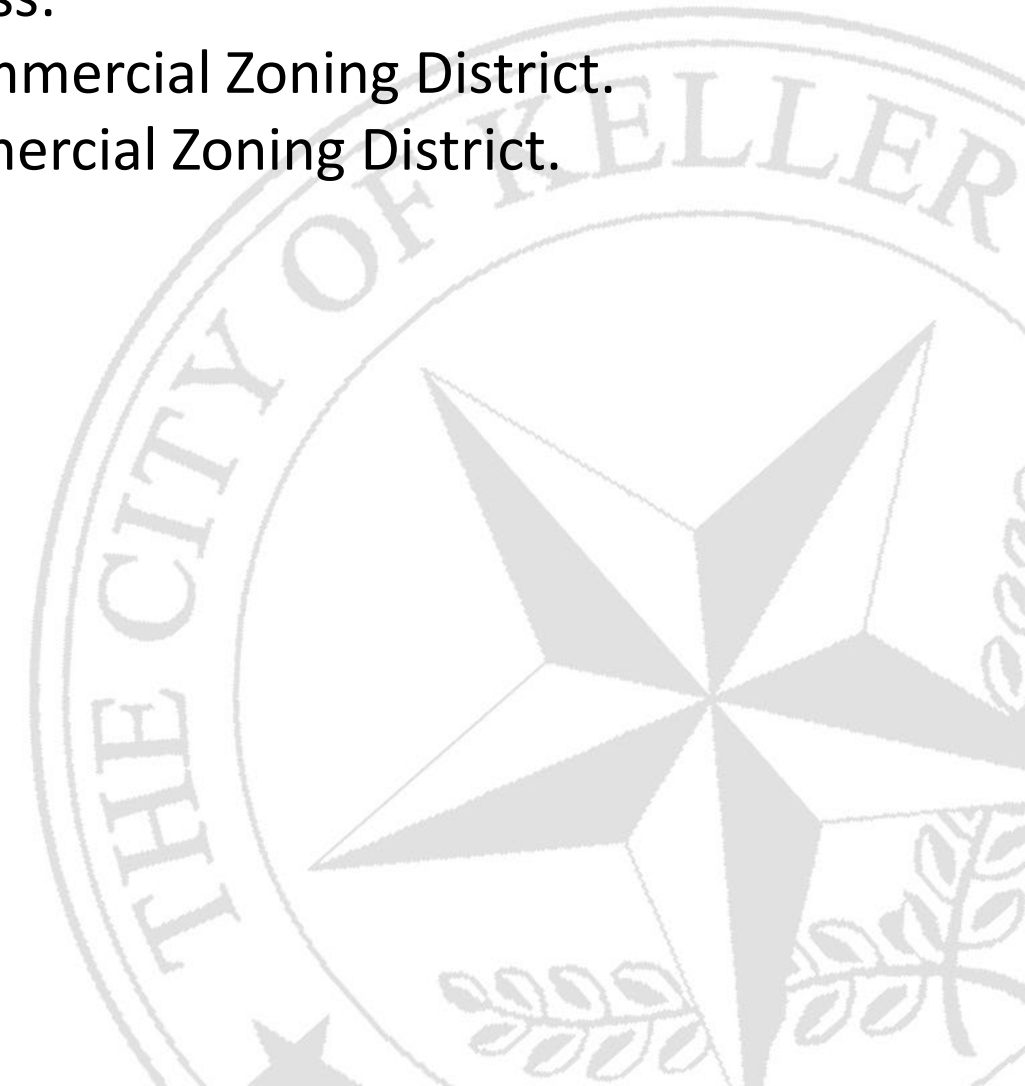
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Request:

There are two SUP triggers for this proposed business:
1.   An SUP to operate a retail nursery in the Commercial Zoning District.
2.   An SUP to allow outside storage in the Commercial Zoning District.

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Concept Plan for Existing Buildings:

1. Landscape and tree sales/admin bldg.
2. Remove walls and replace top with shade cloth for trees
3. Storage
4. Storage
5. Remove walls and replace top with shade cloth for trees
6. Build out offices and shipping area
7. Haven Garden and Hardware
8. Haven Home Goods
9. To be demolished
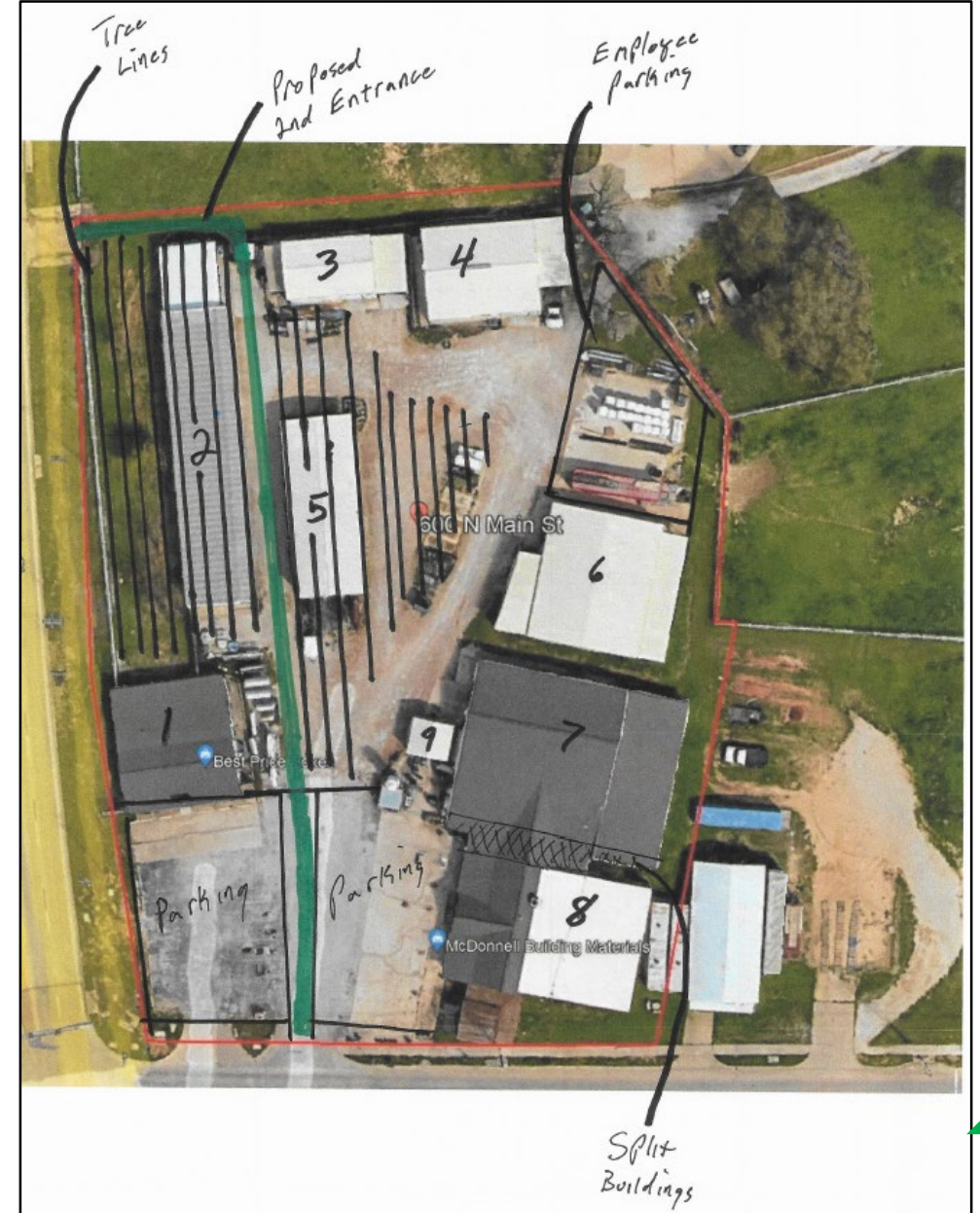
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Site Design:

- The site currently has one access point off Johnson Road, and the Applicant has begun talks with TxDOT on the possibility of adding a second access point off North Main Street.

- Access to the existing home and other structures on 550 N. Main St. will remain.

- The site has approximately 28 parking spots in front of the box and hardware retail stores, and the Applicant intends to designate space at the northeast corner of the property to accommodate an additional 12-14 employee parking spaces.
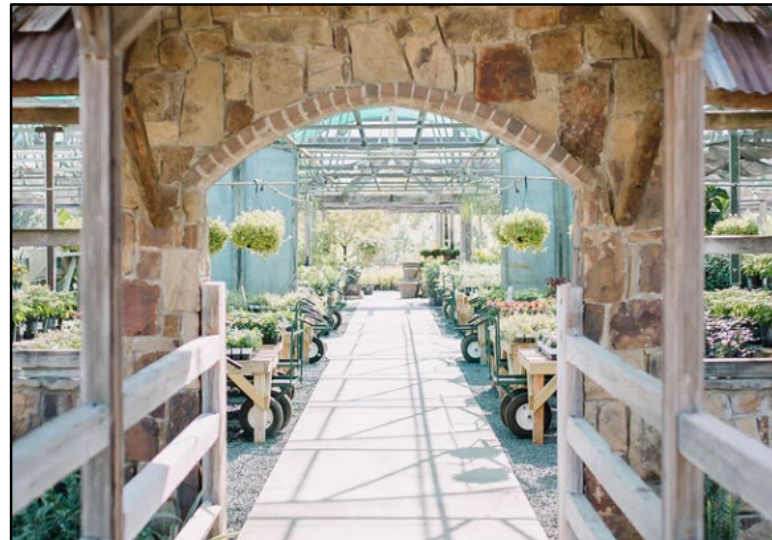
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Business Details:

The Applicant hopes to bring most aspects of the current Fossil Creek operation to the Keller site, including landscape services and retail sales in The Haven home goods store, along with the tree farm and garden operations.

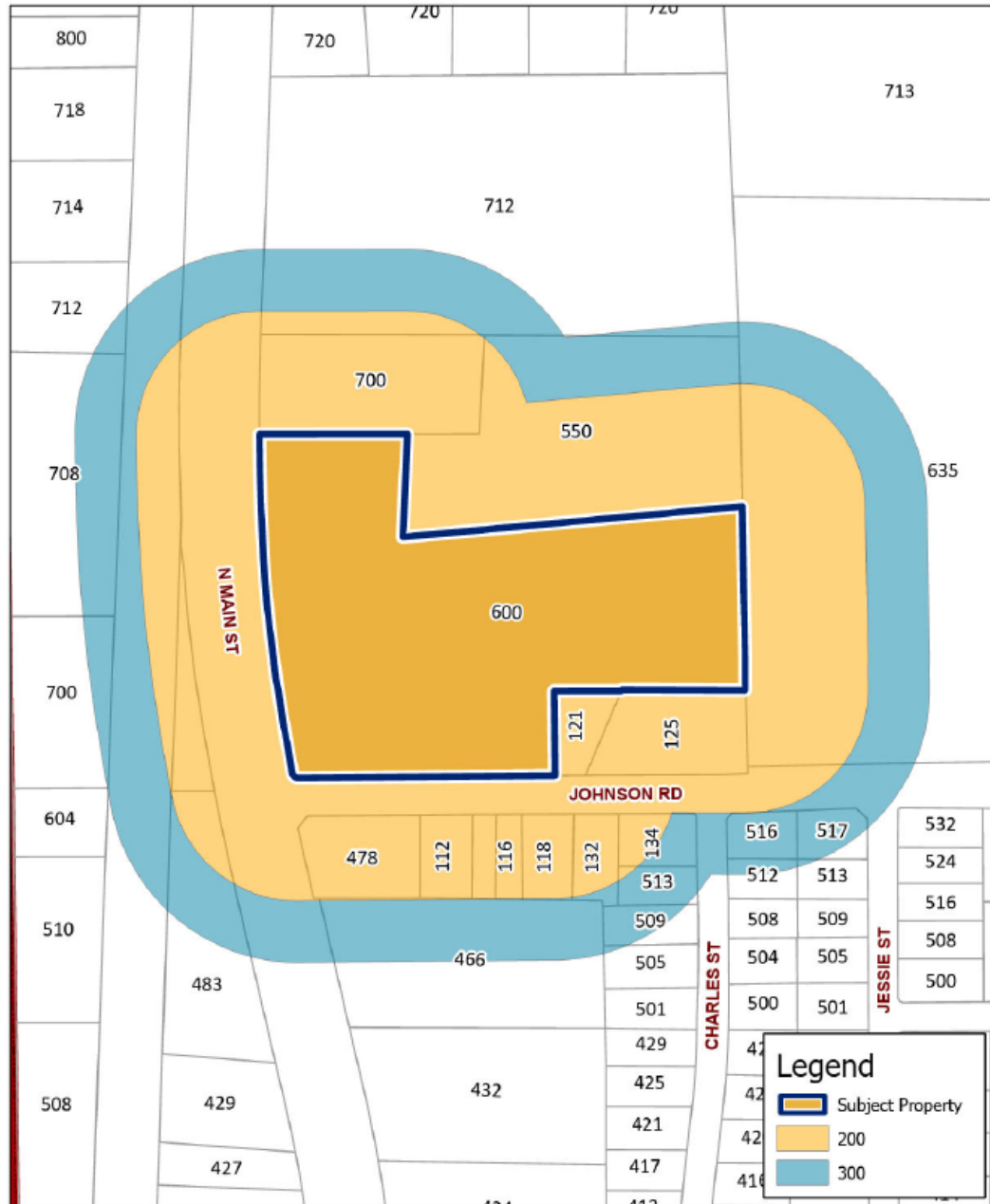The business has 12 full-time employees, one of which works from home.

Proposed business hours:
9 a.m. to 6 p.m. Monday through Saturday
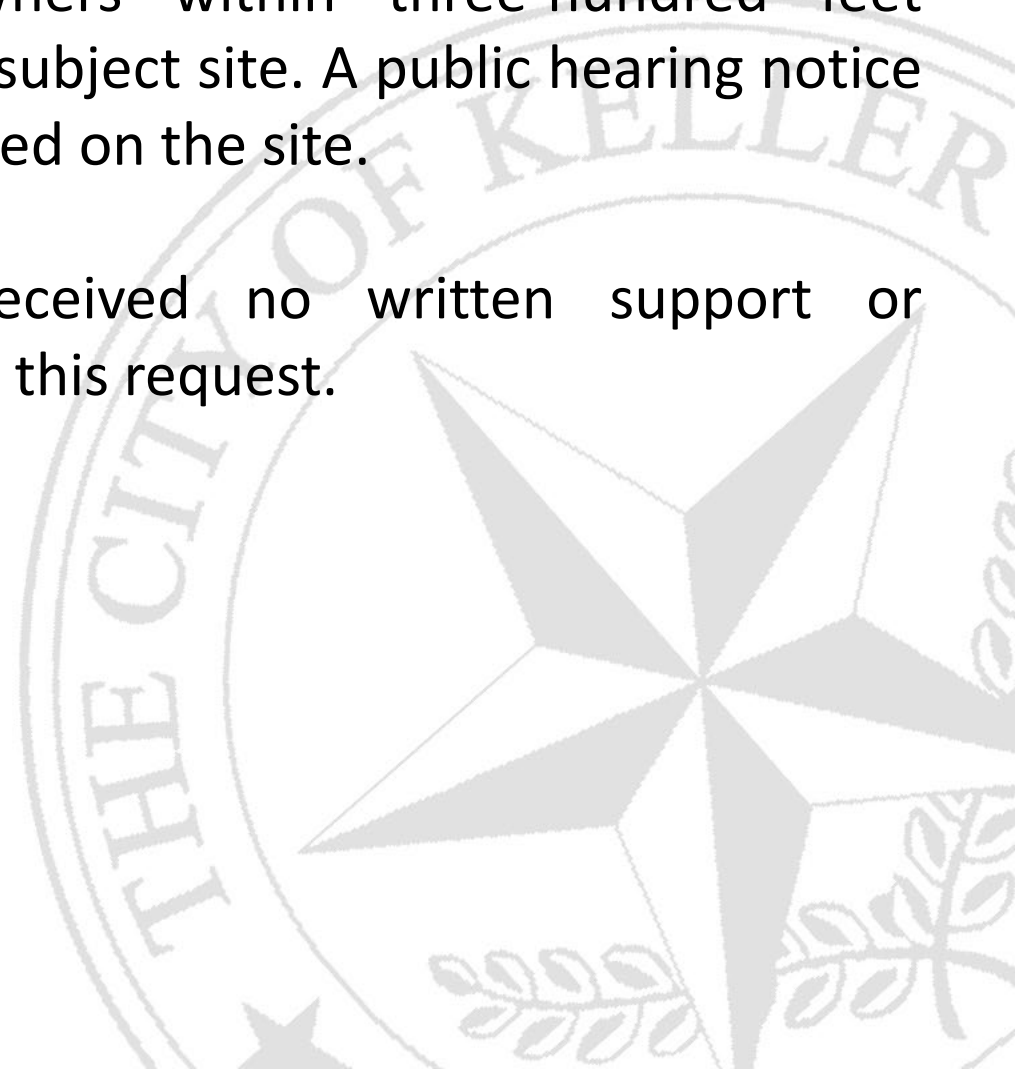Staff operations limited to 7 a.m. to 6:30 p.m.

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On July 11, 2024, the City mailed 26 Letters of Notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.
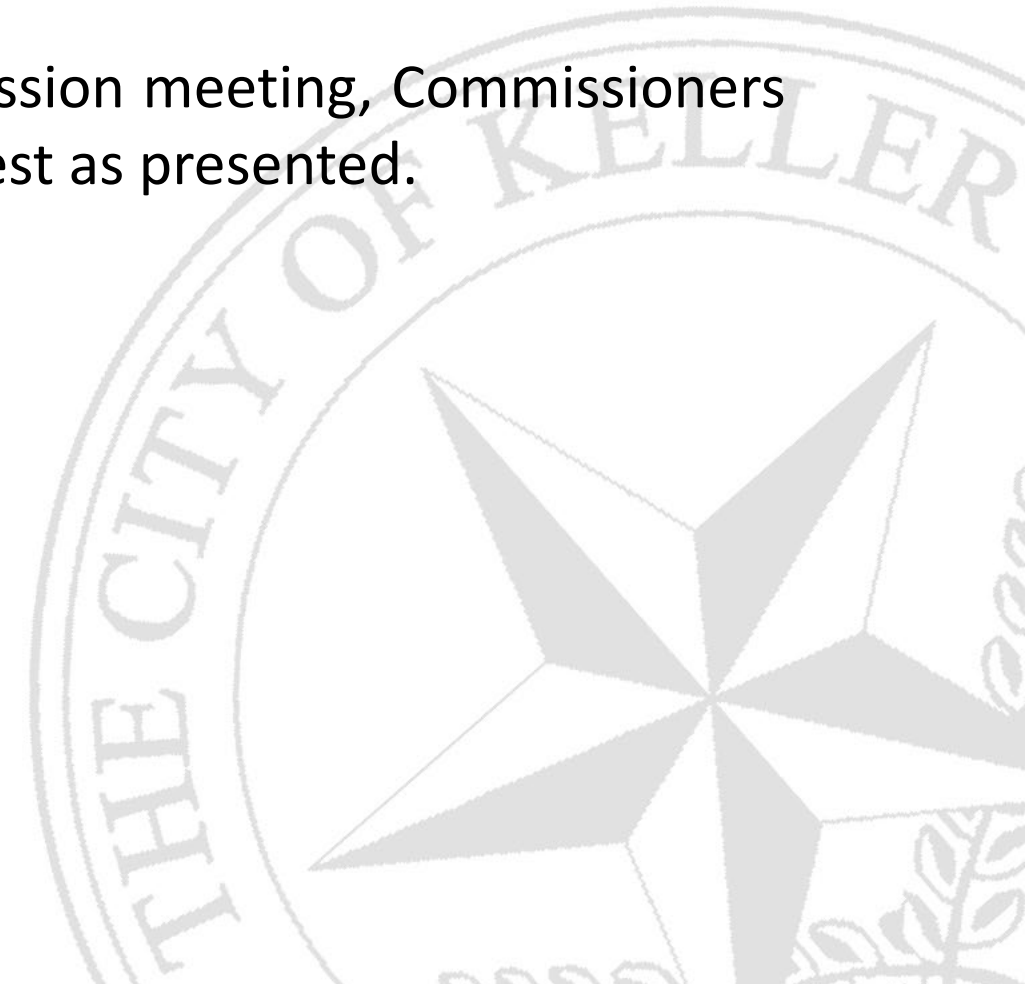
Staff has received no written support or opposition to this request.

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Planning and Zoning Commission Recommendation:

At the July 23, 2024, Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the request as presented.
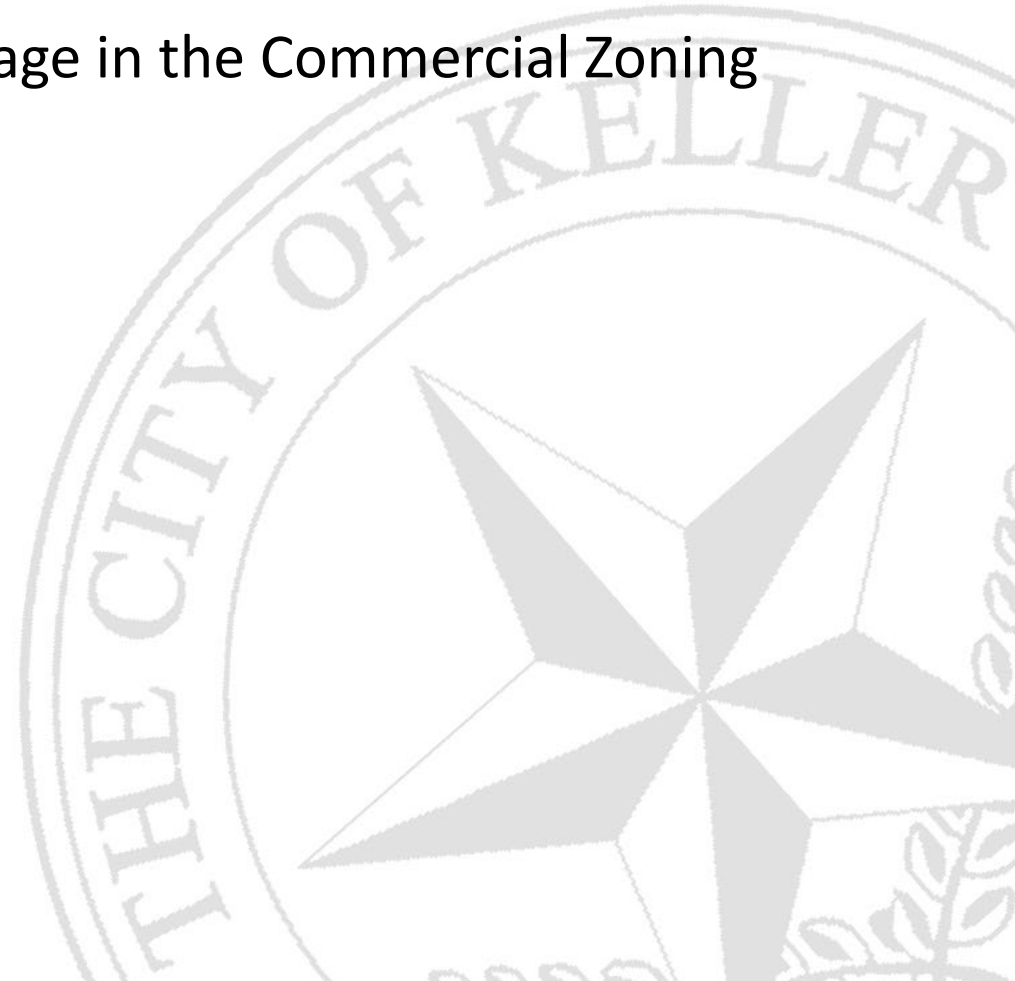
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Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, the City Council shall consider the following factors:

1) The use is harmonious and compatible with surrounding existing uses or proposed uses;

2) The activities requested by the applicant are normally associated with the permitted uses in the base district;

3) The nature of the use is reasonable and appropriate in the immediate area;

4) Any negative impact on the surrounding area has been mitigated; and

5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

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Request:

An SUP to operate a retail nursery with outside storage in the Commercial Zoning District.

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The City Council has the following options when considering an SUP request:

- Approve as submitted

- Approve with modified or additional condition(s)

- Table the agenda item to a specific date with clarification of intent and purpose

- Deny

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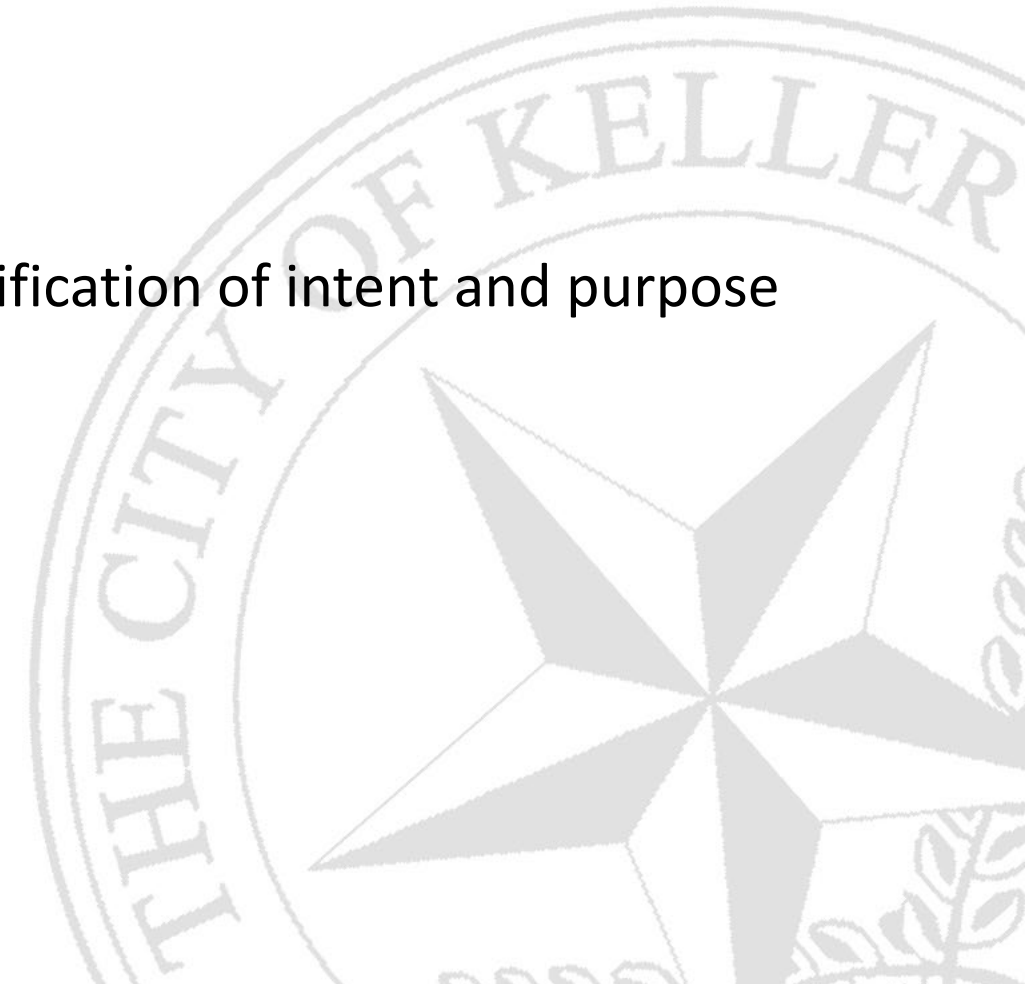
Questions?
Sarah Hensley
817-743-4130